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Attorney for Plaintiff.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

KHALID HASSAN,

Plaintiff,

v.

DAVID ROARK, ET AL.,

Defendants.

No. C 09-0964 PJH

**STIPULATION TO CONTINUE
HEARING DATE; [PROPOSED]
ORDER**

Date: September 23, 2009

Time: 9:00 a.m.

Honorable Phyllis J. Hamilton

Plaintiff, by and through his attorney of record, and Defendants, by and their attorneys of record, hereby stipulate, subject to the approval of the Court, to continue the hearing date on Defendants' Motion to Dismiss and the parties' Cross-Motions for Summary Judgment, currently scheduled on September 23, 2009, at 9:00 a.m., on the following grounds:

1. Defendants filed a Motion to Dismiss and Motion for Summary Judgment on July 8, 2009. On July 29, 2009, Plaintiff filed an opposition to Defendants' motion and a Cross-Motion for Summary Judgment. The motions are currently scheduled for a hearing on September 23, 2009 at 9:00 a.m., in Oakland.

2. On September 23, 2009, at 10:00 a.m., Plaintiff's counsel is scheduled to participate in an immigration panel at the Law Clerk Orientation for the U.S. Court of Appeals

1 for the Ninth Circuit in San Francisco. Accordingly, Plaintiff's counsel respectfully requests that
2 the hearing date on the motions be continued.

3 3. Defendants' counsel has indicated that she has no opposition to resetting the
4 hearing date.

5 4. Accordingly, the parties respectfully request that, pursuant to their stipulation, the
6 Court reset the motion hearing date as follows:

7 Motions Hearing: October 21, 2009, at 9:00 a.m.

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9 Dated: September 15, 2009

Respectfully submitted,

10 /s/ Robert B. Jobe

11 ROBERT B. JOBE
Attorney for Plaintiff

12
13 Dated: September 15, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

14 /s/ Ila C. Deiss

15 ILA C. DEISS
16 Assistant United States Attorney
Attorneys for Defendants
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[PROPOSED] ORDER

Pursuant to stipulation, IT IS HEREBY ORDERED that the motions hearing date is continued and reset as follows:

Motions Hearing: November 4, 2009
~~October 21, 2009, 9:00 a.m.~~

IT IS SO ORDERED.

Dated: 9/15/09

PHYLLIS J.
UNITED ST

